

## **R E M A R K S**

This Amendment is responsive to the Office Action dated July 26, 2004. Claims 1 through 22 are pending in the application. All of the claims are presently rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1 through 7 and 15 through 22 stand rejected under 35 U.S.C. 102 (b) as being anticipated by Tomlinson U.S. Patent No. 4,402,237. Applicant is pleased to note that claims 8 through 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Responsive to the Office Action, Applicant herein amends independent claims 1, 21 and 22 to overcome the rejections under 35 U.S.C. 112, second paragraph. All of the claims are now believed to be in compliance with that section. Applicant also herein amends claim 1 to include the patentable limitations of objected to claim 8, and intervening claims 2, 3, 5 and 7. Claims 2, 3, 5, 6, 7, and 8 are cancelled. Claims 4, 9, 15, 16, and 19 are amended to change the claim from which they depend, and/or to clarify the claim. Additionally, Applicant amends herein amends claims 21 and 22 to include limitations similar to those of objected to claim 8 and several of the intervening claims. All of the claims remaining in the application, namely, claims 1, 4, and 9 through 22, are believed to be patentably distinguishable over the cited prior art and allowable.

Turning to amended claim 1, that claim is directed to a CVT transmission for a motor vehicle comprising equipment for continuous variation of motion in terms of torque and of speed delivered, said continuous variation being obtained between two shafts; said equipment for continuous variation of motion comprising first mechanical means with fixed transmission ratio, and second mechanical means with variable transmission ratio, there being set between said first mechanical means and said second mechanical means an epicyclic gear train. Amended claim 1 requires the epicyclic gear train to include a central gear fitted on a driven one of said shafts, and said first mechanical means to drive a spider carrying a plurality of planetary gears, said planetary

gears including teeth meshed with internal teeth of a crown gear, a speed of said crown gear being an algebraic sum of a speeds of a gear wheel fitted on said driven one of said shafts and of said first mechanical means driving said spider, as required by intervening claim 5. Amended claim further requires said CVT transmission being characterised in that input of motion from an engine connected in rotatably driving relation thereto occurs about an axis substantially parallel to an axis of longitudinal symmetry of the motor vehicle, whilst axes of said shafts, respectively, are set transverse to said axis of longitudinal symmetry of the motor vehicle. And, claim 1 requires the transmission being connectable in driving relation to a differential having an axis of longitudinal symmetry transverse to said axis of longitudinal symmetry of the motor vehicle and substantially parallel to the axes of said shafts, as required in claims 2 and 3, and the limitation of intervening claim 7 and allowable claim 8, wherein

at least one pair of gear wheels, fixed to said crown gear, is meshed with a pair of gear wheels of the differential rotatable about the axis of longitudinal symmetry of said differential, in which a transmission ratio between said transmission and said differential can be selected by means of a sliding toothed shaft coupling and by means of a servo control.

Applicant respectfully asserts that this combination of features of amended claim 1 is not disclosed, taught and/or suggested by Tomlinson patent. More particularly, in Figure 5 of the Tomlinson patent relied on by the Examiner, the differential 190 is located in driving relation to input 218 of the transmission, in connection with motor 187, not in driven relation with the transmission, as now more particularly required in claim 1. Further, no selectable connection between the transmission and the differential as required in claim 1, is disclosed or even suggested in Tomlinson. For the foregoing reasons, amended claim 1 is believed to be patentably distinguishable over Tomlinson and allowable.

Claims 4 and 9 through 20 depend from amended claim 1 and add still further distinguishing limitations thereto. Accordingly, those claims, in combination with base claim 1, are also believed to be patentably distinguishable over Tomlinson and allowable.

Amended independent claim 21 is directed to a CVT transmission for agricultural tractors, comprising equipment for continuous variation of motion in terms of torque and of speed delivered, said continuous variation being obtained between two shafts; and said equipment for continuous variation of motion comprising first mechanical means having a fixed transmission ratio, and second mechanical means having a variable transmission ratio, there being set between said first mechanical means and said second mechanical means an epicyclic gear train. Amended claim 21 requires said CVT transmission being mountable on a tractor such that input of motion from an engine of the tractor occurs in a direction that is substantially transverse with respect to an axis of longitudinal symmetry thereof; the epicyclic gear train including a central gear fitted on a driven one of said shafts, and said first mechanical means drive a spider carrying a plurality of planetary gears including teeth meshed with internal teeth of a crown gear carried on said driven one of said shafts. Amended claim 21 additionally requires

the transmission being connectable in driving relation to a differential having an axis of longitudinal symmetry transverse to said axis of longitudinal symmetry of the tractor and substantially parallel to the axes of said shafts, wherein at least one pair of gear wheels carried on said crown gear, is meshed with a pair of gear wheels of the differential rotatable about the axis of longitudinal symmetry of said differential, in which a transmission ratio between said transmission and said differential can be selected by sliding a toothed shaft coupling carried on said crown gear into engagement with one of the gears carried on said crown gear by means of a servo control.

Applicant respectfully asserts that this combination of features of amended claim 21 is not disclosed, taught and/or suggested by Tomlinson patent. Again, as noted in reference to amended claim 1 above, in Figure 5 of the Tomlinson patent relied on by the Examiner, the differential 190 is located in driving relation to input 218 of the transmission, in connection with motor 187, and thus is not connectable in driven relation with the transmission, as required in claim 21. Further, Tomlinson no selectable connection between the transmission and the differential as required in claim 21, is disclosed or even suggested in Tomlinson. For the foregoing reasons, amended claim 21 is believed to be patentably distinguishable over Tomlinson and allowable.

Amended claim 22 is directed to CVT transmission for motor vehicles, said CVT transmission comprising equipment for continuous variation of the motion in terms of torque and of speeds delivered, said continuous variation being obtained between two shafts; said equipment for continuous variation of the motion comprising first mechanical means with a fixed transmission ratio, and second mechanical means with a variable transmission ratio, there being set between said first mechanical means and said second mechanical means an epicyclic gear train and in which input of motion from an engine occurs in a direction that is substantially parallel to an axis of longitudinal symmetry of the motor vehicle. Amended claim 22 requires the axes of said shafts to be transverse with respect to said axis of longitudinal symmetry of the motor vehicle; and the epicyclic gear train to include a central gear mounted on a driven one of said shafts for rotation therewith, and said first mechanical means drive a spider carrying a plurality of planetary gears including teeth meshed with the central gear and internal teeth of a crown gear carried on said driven one of said shafts. Amended claim 22 further requires a differential having an axis of longitudinal symmetry transverse to said axis of longitudinal symmetry of the vehicle and substantially parallel to the axes of said shafts, at least one pair of gear wheels being carried on said crown gear and meshed with a pair of gear wheels of the differential rotatable about the axis of longitudinal symmetry thereof,

in which a transmission ratio between said transmission and said differential can be selected by sliding a toothed shaft coupling carried on said crown gear into engagement with one of the gears carried thereon by means of a servo control.

Applicant respectfully asserts that this combination of features of amended claim 22 is not disclosed, taught and/or suggested by Tomlinson patent. Again, as noted in reference to amended claim 1 above, in Figure 5 of the Tomlinson patent relied on by the Examiner, the differential 190 is located in driving relation to input 218 of the transmission, in connection with motor 187, and thus is not connectable in driven relation

with the transmission, as required in claim 22. Further, Tomlinson no selectable connection between the transmission and the differential as required in claim 22, is disclosed or even suggested in Tomlinson. For the foregoing reasons, amended claim 22 is believed to be patentably distinguishable over Tomlinson and allowable.

All of the claims in the present application are now believed to include limitations which patentably distinguish them from the cited prior art. The cited prior art reference does not disclose all of the features of the CVT transmission as set forth in the claims. For the foregoing reasons, favorable action and allowance of the claims is respectfully requested.

A two month extension of time is requested to extend the time for submitting this Amendment. The Office Action was mailed on July 26, 2004, and the initial three month period in which to submit a response ended on October 26, 2004. The one month extension of time extends the response time up to and including December 26, 2004, which is a Sunday, and thus to Monday December 27, 2004. Enclosed is a check in the amount of \$430.00 which is the charge for an extension of one month as set forth in 37 CFR §1.17(a)(2) for a large entity. The Commissioner is authorized to charge any credit or deficiency to Deposit Account No. 08-1280.

If the Examiner has any further requirements or suggestions for placing the present claims in condition for allowance, Applicant's undersigned attorney would appreciate a telephone call at the number listed below.

Respectfully submitted,

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December 27, 2004